

## **HINGHAM PLANNING BOARD MINUTES**

November 8, 2021 @ 7:00 PM

### **REMOTE MEETING**

**Planning Board Members Present Remotely:** Kevin Ellis, Gary Tondorf-Dick, Judith Sneath, Gordon Carr

**Also Present:** Emily Wentworth, Community Planning Director

**Members Absent:** Rita DaSilva

At 7:00 p.m. Chair Ellis called the Planning Board meeting to order and stated the following:

*“This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording.”*

### **Hearing(s)**

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Mr. Thomas Taylor stated he would be recording the meeting.

Chair Ellis stated the first matter was Harrier Development, LLC’s request for a site plan review waiver for the property located at **1237 Main Street aka 1 Whiting Street**.

Mr. John Zagoran of Harrier Development appeared on behalf of the applicant. Mr. Zagoran gave background on the waiver request, stating the renovations would be interior. He stated it would be a skin care retail location with consulting rooms.

There was discussion regarding current use, employees, parking, traffic, zoning, lighting and the mezzanine.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following finding:

To find that the interior renovations for a new retail tenant to be located at 1237 Main Street (aka 1 Whiting Street) in the Business B District constitutes a minor site plan under Section I-I, 5.b (i) of the By-Law; and

Chair Ellis moved to grant the request of Harriet Development, LLC to waive Site Plan Review under Section I-I, 5 of the By-Law.

**Second:** Gary Tondorf-Dick  
**In Favor:** Judith Sneath, Gordon Carr, Kevin Ellis  
**Opposed:** None

Chair Ellis stated the next matter would be Bow Street, LLC's request for site plan review waiver for the property located at **37 Whiting Street**.

Mr. Matt Shannon, the applicant, provided background on the proposed estate sale business located at 37 Whiting Street. He stated the work would be limited to finish carpentry, electrical and interior work other than white PVC trim added to the exterior.

There was discussion regarding parking, use and traffic.

Ms. Wentworth stated the change of use would alter the parking requirements for the site, the applicant would need to submit a Special Permit A3 application and the Planning Board would need to hold a duly noticed public hearing.

Mr. Matt Shannon stated he would withdraw his application and resubmit all required applications.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to accept the withdrawal of the application for site plan review for 37 Whiting Street without prejudice.

**Second:** Gordon Carr  
**In Favor:** Gordon Carr, Judith Sneath, Gary Tondorf-Dick Kevin Ellis  
**Opposed:** None

Chair Ellis stated the next matter would be 193 Whiting Street, LLC's site plan approval and parking determination requests for **193 Whiting Street**.

Attorney Jeffery Tocchio represented the applicant. He described the property and the applications before the Board.

Mr. Gabe Crocker, of Crocker Design Group and Attorney Tocchio presented renderings and plans and stated Mass DOT had made investments in the property. There was discussion regarding existing conditions, curb cuts, landscaping, driveways, access points, parking spaces, sidewalk, ADA access, patio (which Mr. Crocker stated would be removed), ATM island, square footage, pavement, signage, dumpster enclosure, grading, trees, retaining wall, cedar fencing, drainage system, stormwater discharge and septic.

Mr. Gary McNaughton discussed traffic, trip generation for a proposed use of fast food without a drive thru, but stated the property would likely be retail not a restaurant, site distance for access and drive-thru queueing of the ATM. There was discussion regarding the lighting plan.

Mr. Ben LaFrance discussed the planting plan.

Attorney Tocchio discussed signage that will go before the Zoning Board of Appeals.

Mr. Patrick Brennan of Amory Engineers, Town's Peer Review Engineer, discussed his letter to the Planning Board regarding plan edits, stormwater mitigation, patio, erosion control and a suggested easement.

There was additional discussion with Board members regarding the drive-up ATM, use of the building, existing trees and tree removal, parking, request for pedestrian circulation aerial photo overlaying sidewalks, turns onto and from Gardner Street, stormwater, grading and accessibility.

Chair Ellis asked for public comments.

Mr. Jay Fleming, owner of 204 Whiting Street stated he was thrilled with redevelopment of the space and discussed traffic considerations.

Ms. Marsha Stevens of 209 Gardner Street stated she was concerned with the groundwater pollution and runoff. Attorney Tocchio stated the issue would be addressed. Ms. Stevens stated she had concerns with light pollution.

Mr. Larry Johnston of 216 Gardner Street stated he was happy with the development of the area, but that he was concerned with traffic.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to continue the hearings on applications from Hingham 193 Whiting Street, LLC for Site Plan Review under §§ I-G and I-I and a Special Permit A3 Parking Determination under § V-A of the Zoning By-Law to locate a retail store and drive-up ATM with improvements in Business B District to November 29, 2021 at 7PM and extend the decision deadline on the Site Plan Review application to February 6, 2022 (to coincide with the Special Permit A3 timeline).

**Second:** Gordon Carr

**In Favor:** Gordon Carr, Judith Sneath, Gary Tondorf-Dick, Kevin Ellis

**Opposed:** None

Chair Ellis stated the next matter would be Bristol Bros. Development Corp.'s application for a site plan review waiver and special permit A3 for a flexible residential development at **213 & 215 Cushing Street**.

Chair Ellis stated a continuation had been requested.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to continue the hearings on applications from Bristol Bros. Development Corp. for a Site Plan Review Waiver under Section

I-I,5 and a Special Permit A3 under Section IV-D of the Zoning By-Law for a Flexible Residential Development consisting of eight single-family dwellings on 7.48+ acres of land in the Residence C District to December 13, 2021 at 7pm and extend the decision deadlines to January 14, 2022.

**Second:** Gary Tondorf-Dick

**In Favor:** Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

**Opposed:** None

Chair Ellis stated the next matter was Kevin and Kathryn Caulfield's applications for site plan review for **0 and 3 Home Meadows Lane**.

Chair Ellis stated a continuation had been requested.

Member Carr stated he viewed the October 25, 2021 recording of the hearing when the matter was opened, and filed an affidavit so that he can participate in the hearing moving forward.

Member Tondorf-Dick said he would like to participate in a site visit. Ms. Wentworth stated she would coordinate.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to continue the hearings on applications for Site Plan Review and or waivers under § I-I and § IV-B.6 for land disturbance exceeding 5,000 SF overall and 2,500 SF in areas with slopes greater than 10% for 0 and 3 Home Meadows Lane in Residence District A to November 29, 2021 at 7pm and extend the decision deadlines to December 29, 2021.

**Second:** Gary Tondorf-Dick

**In Favor:** Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

**Opposed:** None

Chair Ellis stated the next item on the Agenda was a site plan review request for **0 R Rockwood Road & 36 East Street**.

Mr. Jeff Hassett of Morse Engineering appeared on behalf of the applicants Greg and Christine Fletcher. Mr. Hassett introduced the team representing the applicants that were also on the call.

Mr. Hassett presented the plans.

There was discussion regarding the right of way and zoning issues.

Member Tondorf-Dick requested a site visit. Mr. Hassett agreed.

Chair Ellis asked for tree removal plan and topographical views.

Thomas Taylor of 34 East Street, stated he had concerns over the right of way. Mr. Hassett stated no modifications would be made to the existing right of way on 34 East Street.

There was discussion regarding the combination of the two parcels and potential division in the future and legal questions to be addressed by applicants' counsel.

There was discussion regarding the garage, driveway, square footage and rational for grandfathered use continuing with second property.

There was discussion regarding continuing the hearing and legal notice requirements for the hearing.

Chair Ellis moved to continue to continue the application from Christine and Gregory Fletcher for Site Plan Review under § I-I and § IV-B.6 and waivers under § I-I of the Zoning By-Law to construct a single-family home in Residence District A to December 13, 2021 at 7pm and extend the decision deadlines for thirty days thereafter.

**Second:** Judith Sneath

**In Favor:** Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

**Opposed:** None

Chair Ellis stated the next item on the agenda was potential zoning articles.

Ms. Wentworth stated discussion would focus on proposed site plan review and special permits changes. She provided clarification on the gender neutral changes and amendments related to grandfathering.

There was discussion regarding the site plan review and special permits changes made at the 2006 Annual Town Meeting, burden of enforcement, issues that are being addressed by proposed changes, peer community analysis, staffing burdens, Zoning Board input, submission dates for proposed by-law changes and Hingham Journal articles from 2006.

There was discussion regarding scheduling additional time for discussion and additional discussion with the Zoning Board regarding accessory uses.

Chair Ellis stated the next item was discussion and adoption of minutes for August 9, 2021 and October 12, 2021.

Chair Ellis moved to approve the meeting minutes of August 9, 2021 and October 12, 2021 as presented.

**Second:** Gary Tondorf-Dick

**In Favor:** Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

**Opposed:** None

Chair Ellis moved to adjourn the meeting at 9:20 p.m.

**Second:** Gordon Carr

**In Favor:** Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

**Opposed:** None

Respectfully submitted,

Tracy L. Altrich  
Administrative Assistant, Community Planning

Meeting Materials:

*1237 Main Street (aka 1 Whiting Street)*

1. *Application for Site Plan Approval Waiver Request, dated October 22, 2021*
2. *Plan Set, dated October 22, 2021*

*37 Whiting Street:*

1. *Application for Site Plan Approval Waiver Request, dated November 3, 2021*

*193 Whiting Street:*

1. *Cover Letter from J. Tocchio to C. Falvey, dated September 21, 2021*
2. *Application for Zoning Hearing Form 2, dated September 21, 2021*
3. *Form 2D, Special Permit A2 Site Plan Review, dated September 21, 2021*
4. *Form 2B Variance, dated September 21, 2021*
5. *Application for Special Permit A-3, September 21, 2021*
6. *Application for Site Plan Approval in Association with Application for Special Permit A2, dated September 21, 2021*
7. *Site Plans, dated September 21, 2021*
8. *Stormwater Management Report, dated September 21, 2021*
9. *Traffic Assessment, dated September 30, 2021*
10. *P. Brennan Letter to Planning Board, dated October 19, 2021*
11. *J. Tocchio Letter to E. Wentworth with Signage Plan, dated November 2, 2021*
12. *J. Dirk Traffic Peer Review to E. Wentworth, dated November 3, 2021*

*0 R Rockwood Road & 36 East Street:*

1. *Application for Site Plan Approval, dated October 12, 2021*
2. *Letter from J. Hassett to Planning Board with Enclosures, dated October 12, 2021*
3. *Site and Septic Design Plan Sheet 1, dated October 12, 2021*
4. *Site and Septic Design Plan Sheet 2, dated October 12, 2021*
5. *Revised Application for Site Plan Approval, dated November 4, 2021*
6. *Site and Septic Design Plan, dated November 4, 2021*
7. *Landscape Plan, dated November 8, 2021*
8. *P. Brennan Peer Review Letter to Planning Board, dated November 8, 2021*
9. *Letter from Lt. DiNapoli to Planning Board, dated November 8, 2021*